BILL NO. Z-76-04-/4

2.5

2.7

ZONING MAP ORDINANCE NO. Z-14-76

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 4, 5 and 6 in Lawton Place Addition to the City of Fort Wayne, Indiana, and Part of Lot Numbered 1 in Well's pre-emption in Township 31 North, Range 12 East, Allen County, State of Indiana, by metes and bounds described as follows, to-wit:

Beginning on the East line of Spy Run Avenue in the City of Fort Wayne, at a point situated 100 feet South of the Southwest corner of Lot No. 1 in Freeman's Amended Addition to said City of Fort Wayne as recorded; thence East and parallel to the South line of said Freeman's Amended Addition a distance of 140 feet; thence South and parallel to the aforesaid East line of Spy Run Avenue a distance of 80.8 feet to the North line of Lawton Place Amended Addition to the City of Fort Wayne; thence West along the said North line of Lawton Place Amended Addition a distance of 140 feet to the aforesaid East line of Spy Run Avenue; thence North along said line a distance of 80.8 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM AND LEGALITY,

John Juckols Councilman

•
Road the first time in full and in motion by Appelale, seconded by.
Hunto, and duly adopted, read the second time by title and referred
to the Committee on Algalltons (and the City Plan
Commission for recommendation) and Public Hearing to be held after due legal notice,
at the Council Chambers, City-County Building, Fort Mayne, Indiana, on,
theday of, 197, at
o'clock O.M., E.S.T.
Date: 7-13-76 Muyell. Westerman
Read the third time in full and on motion by Muchald.
seconded by Anga , and duly adopted, placed on its passage.
Passed (tost) by the following vote:
AYES MAYS ABSTAINED ABSENT TO-HIT
OTAL VOTES 8
BURNS
HINGA .
HUNTER
MOSES
HUCKOLS
SCHMIDT, D.
SCHAIDT, V.
STIER A
TALARICO V
DATE: 9-28-76 esually abstrace
Passed and adopted by the Common Council of the City of Fort Mayne, Indiana,
as (Zoning Man) (Ceneral) (Annexation) (Special) (Appropriation) Ordinance
(Resolution, No. 2/4-76 on the 28th day of Syl., 1976.
ATTEST: (SEAL)
Millette blestirusius forsibilis OFFICER
Presented by the to the Mayor of the City of Fort Wayne, Indiana, on the 25th
day of, 197, at the nour of, 197, 197, 197
Mayle M. Westermann
Approved and signed by me this
at the hour of 1:00 o'clock 47 E.S.T.
Kabert E Christians
10,4708

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 13, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 20, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to_certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 27, 1976.

Certified and signed this 28th day of September, 1976

> Joseph N. Adair Secretary

Joseph n. Osan

Bill No	Z-76-07-14					
BIII no.			THE COMMIT	TER ON	DECTH ATTONIC	
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We, your		Regulations				an Ordinance
	amending	the City of Fo	rt Wayne Zon	ing Map No.	B-7	
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		- Management and the Assessment				

have had	said Ordinanc	e under conside	eration and l	beg leave t	o report bac	ck to the Common
Council t	that said Ordi	nance Th	PASS.	\bigcap 1		
John	Nuckols - Cha	irman .		John	Those	16362
Paul	M. Burns - Vic	e-Chairman		Jon	In-	Suisso,
Vivia	n G. Schmidt			Thini	in) 47	Chmidt
Winfi	eld C. Moses,	Jr.			Jully Contract of the second	ONP
Donal	d J. Schmidt			2	Dom	u)
-	9-28	CONCUEDE CONCUEDE	lr 4			
	DATE	CHART				

RECEIPT

REC



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING division of long range planning and zoning

September 28, 1976

Members of the Common Council City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 27, 1976. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance.

- 1. Bill No. Z-76-07-14
- 2. From "R3" to "B1B"
- 3. Intended Use: Restaurant
- 4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a.This request is a comaptible use in relation to the immediate area. The high volume of traffic and noise on Spy Run on longer makes this frontage desirable for residential use.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

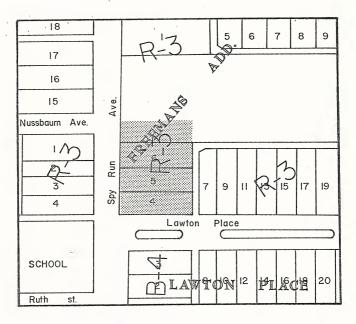
COMMUNITY DEVELOPMENT AND PLANNING Division of Long Range Planning and Zoning

Gary F. Baeten

Land Use Administrator

GFB/jg ATT.





To be rezoned from R-3 to B-I-B

B-7 5-19-76 L.S.

	COMMON COUNCIL OF THE	Date Filed	
C	CITY OF FORT WAYNE, INDIA!	IA Intended Us	e e
I/We	Paul M. Dormans and Vir		
do her	~ (Ap)	olicant's Name or Name ole Body to amend the a/an <u>R-3</u> Distr	Zoning Map of Fort Wayne,
Lots	Numbered 4, 5 and 6 in Law	ton Place Addition to	City of Fort Wayne,
India	na, and Part of Lot Numbe	red 1 in Well's pre-en	nption in Township 31 North
Range	12 East, Allen County, St	ate of Indiana, by met	es and bounds described
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-			of Fort Wayne as recorded;
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-	(General Des	cription for Planning	Staff Use Only)
	the undersigned, certify ntum (51%) or more of the		
Paul	M Dormans . Fort W	ayne, Indiana orest Park Blvd.	Yaul K. Dormans
_Virg	inia A. Dormans Fort W	ayne, Indiana	Virginia a. Dormans
			*
	(Name)	(Address)	(Signature)
Legal	Description Checked By:		
	•	(City En	gineer)
NOTE	FOLLOWING RULES:		
visem by no at wh or ad on th to no mail	visement is filed within e agenda for that meeting	ting in the office of ding the meeting of t. e considered. If the the required time, th. . It shall be the ob. ners which the Plan C. postponed or resched	the City Plan Commission he City Plan Commission request for a continuance matter will not be put ligation of the petitioner ommission had notified by uled and inform them of

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No.

All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:
2000 Fort Wayne Bank Bldg.
Atty. Robert W. Haller (Name) (Address) Atty. Robert W. Haller (Name)

219-742-8235 (Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-757 Telephone Number 423-7571

Number assigned by Bill Salin's office: # 3218 Admn. Appr DIGEST SHEET
TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-76-07-14. DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property:
Lots # 4, 5 & 6 in Lawton Place Addition and Part of Lot # 1 in Well's pre-emption
in Township 31 North, Range 12 East, generally located on the northeast corner
of Spy Run Avenue and Lawton Place.
From "R3" to "BlB"
EFFECT OF PASSAGE Property is presently zoned "R3" - Multiple Family
Residential. Petitioners are requesting a "BlB" District - Limited Business.
_
EFFECT OF NON-PASSAGE Property would remain an "R3"
MONEY INVOLVED (Direct Costs, Expenditures, Savings)nane

ASSIGNED TO COMMITTEE (J.N.) Regulation Jether



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 3, 1976

Miss Helen Libbing Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 6 and October 13, 1976, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indiana

Bill No. Z-76-07-14 Zoning Map Ordinance No. Z-14-76

Bill No. X-76-09-26 Annexation Ordinance No. X-02-76

Bill No. G-76-07-24 General Ordinance No. G-27-76

Please send us (5) five copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charlis W. Westerman Charles W. Westerman

City Clerk

CWW/ne ENCL: 3



Form Prescribed b	y State Board of Acco	ounts				
Common Counc	il of Fort Wayne	e	To TH	e news-se	NTINEL	Dr.
Alle		z. Ind.	FO	RT WAYNE,	INDIANA	1
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COMPUTATION OF	F CHARGES					
108	lines,colum	nns wide equals 108	equivalent lines at	.259¢		27.97
Notice is hereby given that on the 28th day of September, 1976, the Com-11 mon Council of the City of Fort I Wayne, Indiana, in a regular Session did pass the following BILL NO. 2.76-07-14 Z-14-76 Zoning Map Ordinance, Io-will:	nal charge for notices	containing rule or tabular	work (50 per cent	of above		
Wayne, Indiana, in a regular Session did pass the following BILL NO. Z-76- 07-14 Z-14-76 Zoning Map Ordinance, 10-wit:	for extra proofs of mul	blication (50 cents for each	proof in excess of to	m)		1.50
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BE IT ORDAINED BY THE COM- MON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:	TOTAL AMOUNT OF	CLAIM		5		\$
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SECTION. 2. This Ordinance shall be in full force and effect from and after its passage, approval by the		Personally appeared before	ore me, a notary pui	olic in and for	said county a	nd state, the
Mayor and legal publication thereof. John Nuckols Councilman Read the third time in full and on		undersigned	V.E. GERKEN	w	ho, being duly	sworn, says
motion by Nuckots, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following		NEWS-SE	NTINEL			of the
Ayes: Eight Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico		DAILY	newspaper of	general circul	ation printed a	nd published
Nays: None Absent: One Stier Date: 9-28-76	H COPY OF SEMENT HERE	in the English language i in state and county afores				
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Wayne, Indiana, as Zoning Map Ori- dinance No. Z-14-76 on the 28th day of September, 1976. ATTEST: (SEAL)			10/6-13/76		100	Services.
Charles Westernan James S. Stier City Clerk Presiding Officer Presented by me to the Mayor of the City of Fort Wayne Indian				1. E	Sees	Lew
September 179.6 of the dain day of September 179.6 of The September 179.0 of The September 179.6 of The September 179.6 of The September		Subscribed and sworn to	before me this 13t		october 1	01976
of 8:00 o'clock A.M., EST.		My commission expires S	eptember 28, 1		Public	
Nobert E. Armstrong Mayor, I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, frue and complete copy of Zoning Map O'dinance No. Z. 14-76 passed by the Common Council					Will all the	276
foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z- 14-76 passed by the Common Council						

	on Counc	il of Fort Way	ne	То	THE NEWS_SET	TINEL	
	(Ge	overnmental Unit)					
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Notice is hereby given that on 28th day of September, 1976, the Cr mon Council of the City of F Wayne, Indiana, in a regular Ses did pass the tollowing BILL NO. 207-14 Z-14-76 Zoning Map Ordinan to-wit:	extra proofs of p	ublication (50 cen	ts for each proof	in excess of	two)		
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Article III of said Chapter amended, are hereby changed a cordingly, to wit:	as as						
cordingly, to wit: Lots Numbered 4, 5 and 6 in La ton Place Addition to the City of Ec Wayne. Indiana. and Part of L Numbered 1 in Well's pre-emption Township 31 North, Range 12 Ea Allien County, State of Indiana. metes and bounds described as in lows, fo-wit:	sion and penalties	of Ch. 89, Acts 19	67,		-		
Numbered 1 in Well's pre-emption Township 31 North, Range 12 Ea Allen County, State of Indiana.	he foregoing account of the same has	int is just and con	rect, that the a	mount claime	d is legally d	ue, after allowi	ng all just
metes and bounds described as to lows, to-wit: Beginning on the East line of St	of the same has	been paid.				0 -	1-11
Beginning on the East line of Signature and Signature and Avenue in the City of Fig. Run Avenue in the City of Fig. Signature and Signature an	et et			(aniel	J De 1	ald
No. 1 in Freeman's Amended Adition to said City of Fort Wayne as a corded: thence South and parcellel	1976		25			CLERK	
the aforesaid East line of Spy Ri Avenue a distance of 80.8 feet to 11 North line of Lawton Place America	, 19	1 2	- 1	Title	e		
Addition to the City of Fort Wayne thence West along the said North lin	ie i		HER'S AFFIDA	/IT	8		
distance of 140 feet to the atoresal East line of Spy Run Avenue; then	d	ALLEN Co	na unty } ss:				
North along said line a distance of 80.8 test to the place of beginning. SECTION. 2. This Ordinance sha be in full torce and effect from an	11			e. a notary pu	iblic in and for	said county and	d state the
	e-	undersigned .	peared before m ARVI	LLA DEWALD) w	ho, being duly s	sworn, says
Read the third time in till and o	n n	that she is		CLERK			of the
Mayor and legal publication thereof. John Nuckol Councilma Read the third time in full and o motion by Nuckols, seconded b Hinga, and duly adopted, placed o its passage. PASSED by the followin vote:	y g	DAILY	JOURNAL-GAZ				
Ayes: Eight Burns, Hinga, Hunter Moses, Nuckols, D. Schmidt, V	. 1			newspaper of	general circul	ation printed and	d published
Nays: None Absent: One Stier	COPY OF EMENT HERE	in the English	language in the	town of	ORT WAYNE,	INDIANA	
Date: 9-28-76 Charles W. Westermal CityCleri Passed and adopted by the Common Council of the City of For		which was dul	ounty aforesaid, a y published in sai	d namer for	time S th	ached hereto is a	true copy,
Passed and adopted by the Common Council of the City of For Wayne, Indiana, as Zoning Man Oct.		as follows:		13/76		c uncon or public	acton being
dinance No. Z-14-76 on the 28th day of September, 1976. ATTEST: (SEAL					0	0	PSP LA
City Clerk Presiding Officer					Unice.		all
the City of Fort Wayne, Indiana, or the 29th day of September, 1976, at the hour of 11:00 of lock A M. Fort		Subscribed an	d sworn to before	me this 13tl	day or	Catoball	19
Charles W. Westerman City Clerk				***************************************	Notar	The state of the s	2 000
first day of October, 1976, at the hour of 8:00 o'clock A.M., EST. Robert E. Armstrong		My commissio	n expires Mel	WKXXXXX 9	/28/79	radic	
I, Charles W. Westerman, Clerk of			•				
hereby certify that the above and toregoing is a tull, frue and complete						and the same	ASSESSED OF THE PARTY OF THE PA
1476 passed by the Common Council on the 28th day of September, 1976.							
signed and approved by the Mayor on the 1st day of October, 1976 and now							
remains on file and on record in my							

	by State Board of Acc	E .	13		al Form No. 99 P	(Rev. 1967)
Common Counc	il of Fort Wayn overnmental Unit)	e	3.5	To JOURNAL-GA	ZETTE	Dr.
Aller	nCount	y, Ind.	5	FORT WAYNE	, INDIANA	
118		PUBI	ISHER'S CLAIM			
LINE COUNT	111111					
811 6	Matter (Must not or	road two setual 1	ina. Talkhan of whi	oh shall dadal sasas		
8	Matter (Must not en than four solid lines — number of equival	of the type in whicent lines	the body of the ac	lvertisement is set)		
Head	number of lines		7			
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134					COLUMN TWO IS NOT THE	eve I
108	cents per line	nns wide equals.	108 equivalent	lines at \$259¢		27.9
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						1.50
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	TOTAL AMOUNT OF	CLAIM		FI) 5		29.//
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Number	of insertions2		Size of o	uad upon which type	ie coet 5-	
I hereby certify that credits, and that no	t the foregoing accour part of the same has t	at is just and corre een paid.	ect, that the amoun	t claimed is legally	()	g all just
Date October 1	3, 1976		e 2	Title	CLERK	
B chick aldt nehres s	°1		ER'S AFFIDAVIT			
said, But the armed abut the armed newspaper, Stars Stripes, in the opening it of a 12-part serning of a 12-part serning in unnamed customs in unnamed customs	e b	ALLEN Coun	ty } ss:			
ile of a 12-part ser		Personally appe	eared before me, a n	notary public in and f	or said county and	state, the
newspaper, Star		that she is	C	DEWALD	who, being duly sv	
Sie,1¢ can mag al, alb,			OURNAL-GAZETTE			or the
German black mar year. The value the ous year was \$1,915 said.		a DAILY	news	spaper of general circ	ulation printed and	published
diers toward th	COPY OF EMENT HERE	in the English i	anguage in the city town	of FORT WAYN	, INDIANA	
black market val		which was duly	nty aforesaid, and the published in said pap	at the printed matter s er for 2 time S .	ttached hereto is a	true copy,
Masi, Honaid Sm. Masi, Honding Market, 1991 (1992) The state of the control of t		as follows:	10/6-13/	76		mon bomb
Wash, told the I))			0.	0	all for
Maj. Ronald Sm				_Usul		ald
'nama la		Subscribed and	sworn to before me	11	Carolina	19
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stationed, But tra		My commission	expires Kakakai	EXXX 9/28/79	- 4	
					M. W. S.	
SJAQUIAU SOJAJOS lete SJAQUIAU SOJAJOS lete SJAQUIAU SOJAJOS NA SJAQUIAU SJAQUIAU SOJAJOS NA SJAQUIAU						
28th day of September, 1976, hat said Ordinance was duly						
day of October, 1976 and now is on file and on record in my						
NESS my hand, and the official the City of Fort Wayne, Indi- is 29th day of October, 1976. CHARLES W. WESTERMAN CITY CLERK						
CHARLES W. WESTERMAN CITY CLERK						
	1					